

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: October 11, 2005
Public Hearing: November 1, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00089, to allow for a Parking Reduction on the property described as Lots 5 to 8, Block 17, Franklin Heights, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1208 Myrtle. Applicant: Opportunity Center for the Homeless. ZON05-00089 (District 8)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00089, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 5 TO 8, BLOCK 17, FRANKLIN HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Opportunity Center for the Homeless has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in the **C-4 (Commercial/special permit)** District, requiring fifty-five (55) off-street parking spaces to serve a shelter for the homeless and business offices;

Lots 5 to 8, Block 17, Franklin Heights, El Paso, El Paso County, Texas; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 64%, so that the property, required to provide fifty-five (55) off-street parking spaces, can satisfy the parking requirements by providing twenty (20) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the **C-4/sp (Commercial/special permit)** District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00089**, shall be subject to automatic termination; construction or

occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

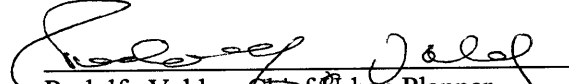
APPROVED AS TO FORM:


Carolyn J. Crosby, Assistant City Attorney

APPROVED AS TO CONTENT:


Christina Valles, Planner II
Development Services Department

APPROVED AS TO CONTENT:


Rodolfo Valdez, Chief Urban Planner
Development Services Department

AGREEMENT

Opportunity Center for the Homeless, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4/sp (Commercial/special permit) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2005.

By:

(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2005, by _____, as Applicant.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

October 4, 2005

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00089

The City Plan Commission (CPC), on September 22, 2005, voted **5-0** to recommend **APPROVAL** of this special permit request for a parking reduction to ammend an existing parking reduction, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

Attachment: Location Map, Site Plan.

STAFF REPORT

Special Use Permit #: ZON05-00089

Property Owner(s): Opportunity Center for the Homeless

Applicant(s): Ray Tullins

Representative(s): Wright & Dalbin Architects

Legal Description: Lots 5 to 8, Block 17, Franklin Heights

Location: 1208 Myrtle

Representative District: # 8

Area: .55 Acres

Zoning: C-4 /sp (Commercial/Special Permit)

Existing Use: Business

Proposed Use: Reduction of Parking:
Spaces Required: 55
Spaces Provided: 20
Number and % Reduced: 35 (64%)

Recognized Neighborhood Associations Contacted: El Paso Central Business Association, Magoffin Neighborhood Association

Surrounding Land Uses:

North -	C-4 (Commercial) / Single-family Residential
South -	C-1 (Commercial) / Church, Business Office
East -	C-4 (Commercial) / Parking Lot, Commercial
West-	C-4 (Commercial) / Auto Repair

Year 2025 Designation: Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, SEPTEMBER 22, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM # 3

Special Use Permit: ZON05-00089

General Information:

The applicant is requesting a special permit to allow for a parking reduction which will serve an existing shelter for the homeless. The property is currently zoned C-4/sp (Commercial/Special Permit). The site is currently a shelter and is .55 acres in size. The proposed site plan shows an existing facility parking currently located on the site. Access is proposed via Myrtle Street; 20 parking spaces are provided. There is an existing special permit for off-site, off-street parking and an existing parking reduction granted in 2000.

Information to the Commission:

The Planning Division has received no calls or letter in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

“provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for Residential land uses.

C-4 /sp (Commercial/special permit) zoning permits a parking reduction by special permit.

The Commission must determine the following:

Will the special permit for Parking Reduction protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Division Notes:

Shall need to comply with A.D.A requirements.

Land Development Section Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments.

El Paso Water Utilities Notes:

No objections.

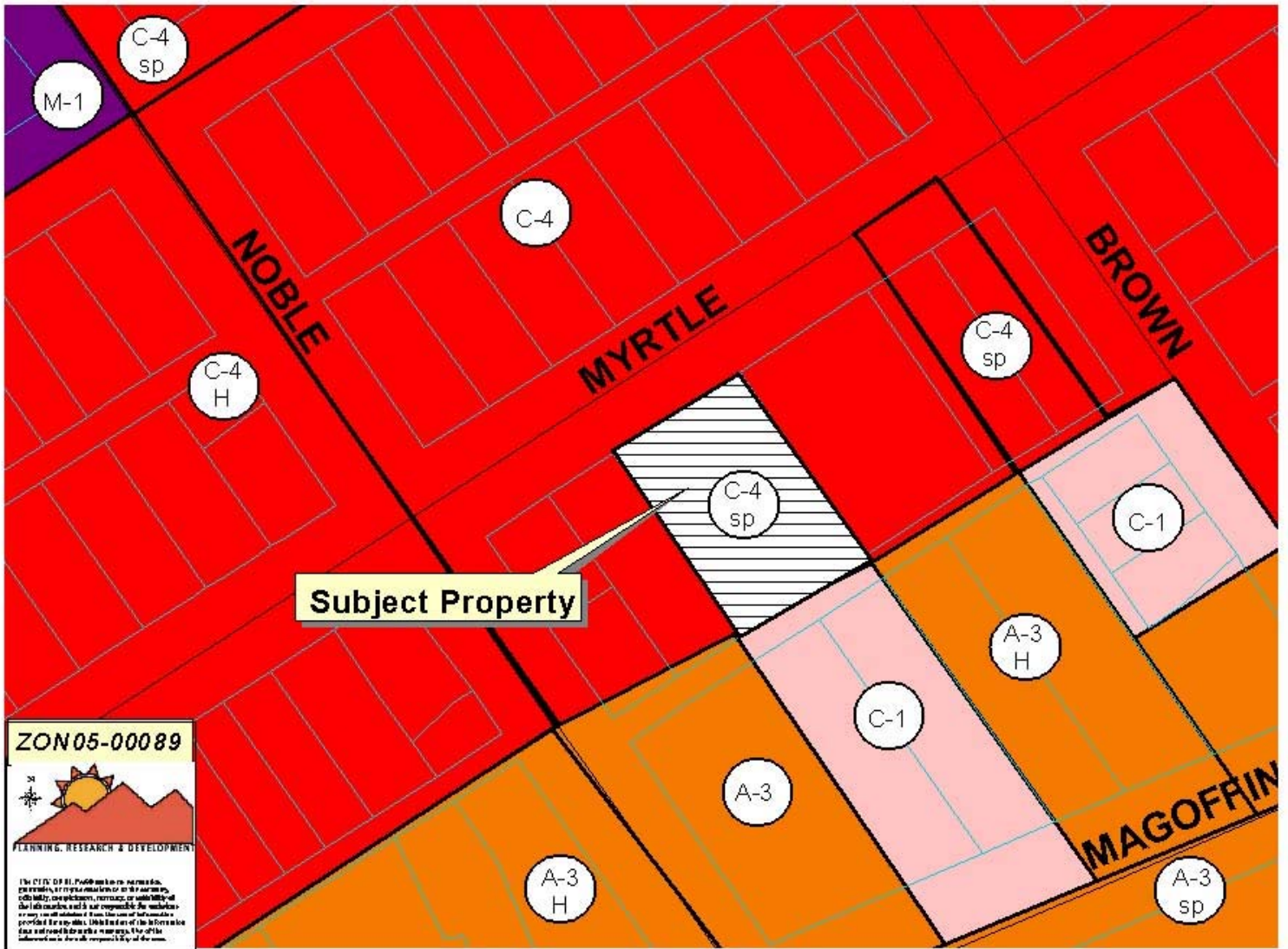
Planning, Research & Development Department Notes:

Recommend approval of this special permit request for a parking reduction.

ATTACHMENT: Site Plan; No objections, Prior Parking Reduction.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 5

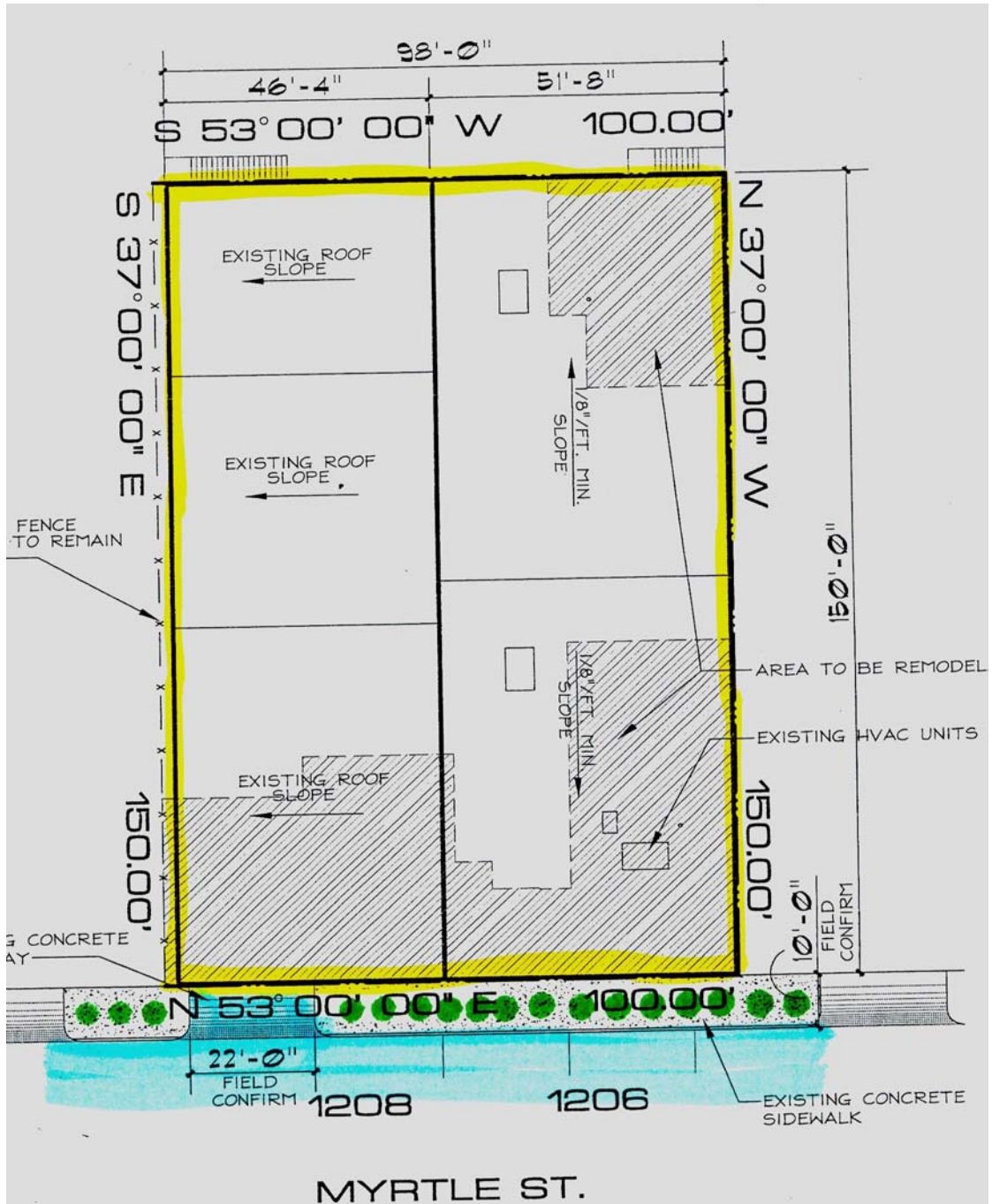
LOCATION MAP



AERIAL MAP



GENERALIZED PLOT PLAN



CARLOS M. RAMIREZ
MAYOR
MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER
ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR
MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1
ROSE RODRIGUEZ
DISTRICT NO. 2
LARRY M. MEDINA
DISTRICT NO. 3
JOHN COOK
DISTRICT NO. 4
PRESI ORTEGA, JR.
DISTRICT NO. 5
PAUL JOSEPH ESCOBAR
DISTRICT NO. 6
LUIS G. SARIÑANA
DISTRICT NO. 7
ELVIA G. HERNANDEZ
DISTRICT NO. 8

27 January 2000

BY CERTIFIED MAIL

El Paso Coalition for the Homeless
1208 Myrtle Ave.
El Paso, TX 79901

Dear Sir/Madam:

Reference: Parking Reduction No. PR00001

Your request for a parking reduction in the required off-street parking for the El Paso Coalition for the Homeless at 1208 Myrtle Ave. was considered by the Development Coordinating Committee (DCC) on 26 January 2000. After consideration the DCC voted to **APPROVE** the request. The amount of the reduction was from 51 to 19 spaces, a 65 percent reduction.

Your special permit for off-street, off-site parking is still in process and I will notify you of the public hearing date for that application soon.

If you have any questions regarding this case, please contact me at (915) 541-4027.

Sincerely,


Anthony R. Talamo,
Parking Reduction Coordinator

DEPARTMENT OF PLANNING, RESEARCH AND DEVELOPMENT

cc: Building Services Department



"Honor our Past..."

...Imagine our Future"